

CaMV(19S) promoter, and a structural sequence which is heterologous with respect to the promoter.

7. (Three times Amended) A plant cell which comprises a chimeric gene that contains a promoter from cauliflower mosaic virus, said promoter[,] selected from the group consisting of a CaMV(35S) promoter and a CaMV(19S) promoter, and a structural sequence which is heterologous with respect to the promoter.

10.7 (Three times Amended) An intermediate plant transformation plasmid which comprises a region of homology to an *Agrobacterium tumefaciens* vector, a T-DNA border region from *Agrobacterium tumefaciens* and a chimeric gene, wherein the chimeric gene is located between the T-DNA border and the region of homology, said chimeric gene comprising a promoter from cauliflower mosaic virus, said promoter[,] selected from the group consisting of a CaMV(35S) promoter and a CaMV(19S) promoter, and a structural sequence which is heterologous with respect to the promoter.

13.9 (Three times Amended) A plant transformation vector which comprises a disarmed plant tumor inducing plasmid of *Agrobacterium tumefaciens* and a chimeric gene, wherein the chimeric gene contains a promoter from cauliflower mosaic virus, said promoter[,] selected from the group consisting of a CaMV(35S) promoter and a CaMV(19S) promoter, and a structural sequence which is heterologous with respect to the promoter.

Please cancel claims 3 and 12.

Please add the following new claims.

19. // The chimeric gene of claim 4 comprising in the 5' to 3' direction:

- (1) the CaMV(35S) promoter,
- (2) a structural sequence encoding neomycin phosphotransferase

II, and

- (3) a 3' non-translated polyadenylation sequence of nopaline synthase.

20.12 The chimeric gene of claim 4 comprising in the 5' to 3' direction:

- (1) the CaMV(19S) promoter,